

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GALE J. NICOLAS,

Plaintiff,

V.

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS INDENTURE TRUSTEE
FOR AMERICAN HOME MORTGAGE
INVESTMENT TRUST 2006-3 AND PHH
MORTGAGE CORPORATION,**

Defendants.

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Civil Action No. 4:22-cv-02046

ORDER OF DISMISSAL

CAME ON TO BE CONSIDERED the Motion for Summary Judgment and Brief in Support filed by Defendants Deutsche Bank National Trust Company, as Indenture Trustee for American Home Mortgage Investment Trust 2006-3 and PHH Mortgage Corporation. (“Defendants”). In connection with the Motion, the Court takes judicial notice pursuant to Federal Rule of Evidence 201 of the following:

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| Exhibit A. | Notice of Removal, Civil Action No. 4:20-cv-01263; |
| Exhibit B. | Stipulation and Consent for Entry of Judgment Permitting Foreclosure, Civil Action No. 4:20-cv-01263; |
| Exhibit C. | Order Approving Stipulation and Judgment Permitting Foreclosure, Civil Action No. 4:20-cv-01263. |

Having considered the Motion, and any responses and replies thereto on file if any, the Court determines that the Motion bears merit and should be granted. It is, therefore,

ORDERED, ADJUDGED and **DECREED** that Motion is granted in its entirety and all claims brought by Plaintiff Gale J. Nicolas in this action are hereby dismissed with prejudice.

SIGNED this _____ day of _____, 2023.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE